

ACTION WHA-00

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INFO	LOG-00	NP-00	AID-00	AMAD-00	CIAE-00	INL-00	DODE-00
	DOEE-00	PERC-00	SRPP-00	DS-00	EB-00	EUR-00	VC-00
	TEDE-00	INR-00	IO-00	L-00	VCE-00	AC-00	NSAE-00
	OIC-02	OMB-01	OPIC-01	PA-00	PM-00	PRS-00	ACE-00
	P-00	SP-00	SSO-00	STR-00	TRSE-00	USIE-00	ECA-00
	PMB-00	DSCC-00	PRM-00	DRL-00	G-00	NFAT-00	SAS-00
	/004W						

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O 091350Z SEP 03

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC IMMEDIATE 2861

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY BRASILIA PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY QUITO PRIORITY

AMEMBASSY LISBON PRIORITY

AMEMBASSY MADRID PRIORITY

AMEMBASSY SANTIAGO PRIORITY

AMEMBASSY MEXICO PRIORITY

NSC WASHDC PRIORITY

USCINCSO MIAMI FL PRIORITY

RELEASED IN PART

B1, 1.4(D)

C O N F I D E N T I A L CARACAS 003066

NSC FOR TSHANNON

USCINCSO ALSO FOR POLAD

STATE PASS USAID FOR DCHA/OTI

E.O. 12958: DECL: 09/09/2013

TAGS: PGOV, PHUM, KDEM, VE

SUBJECT: VENEZUELA: RECALL REFERENDUM UNDER FIRE

REF: CARACAS 03053

Classified By: Ambassador Charles Shapiro for Reasons 1.5(b) and (d)

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SUMMARY

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1. (C) National Electoral Council (CNE) President Francisco Carrasquero announced September 5 that the CNE would rule the week of September 8 on the validity of the signatures presented to convoke the referendum to revoke President Chavez's mandate. The same day, Chavez supporters pushed their challenge of the recall referendum with "legal"

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inspections of the signatures for the consultative referendum and for the recall referendum in the CNE building. The first inspection began September 4 by an investigative prosecutor accompanied by a police swat team in full combat gear.

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End Summary.

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CNE at Work  
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2. (U) Marking the new National Electoral Council's (CNE) first week of work, CNE President Francisco Carrasquero told reporters September 5 that the directorate would approve the CNE's operational rules September 8. The directorate, he said, would also then begin examining the rules for recall referenda drafted by the CNE's legal counsel and its legal opinion regarding the signatures submitted August 20 to convolve a recall referendum for President Hugo Chavez. Carrasquero said the CNE would rule on the validity of the signatures the week of September 8 "so there is no doubt or uncertainty in the country."

3. (U) In addition to questioning the validity of the signatures for the recall referendum, President Chavez commented on his regular Sunday television program August 31 that the CNE should focus on organizing the electoral branch during these first six months, as allowed by its organic law.

"That should take them to February, time enough for us to go into (gubernatorial) electoral campaigns for elections the first or second week of July," the President said.

Commenting that now Venezuela has a CNE that should not be pressured by anyone, he added that it should focus on establishing rules for the media in elections. CNE Vice President Ezequiel Zamora responded to the President's comments September 2, saying that the electoral branch of government does not countenance interference from other branches of government. Zamora told reporters, "We are the ones that determine our priorities." CNE President Carrasquero, speaking separately, also called Venezuela's electoral branch of government "independent," noting that it is not subject to the opinions of others, "even if it is the President of the Republic."

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4. (U) Vice President Jose Vicente Rangel then shifted the criticism to the U.S. when he visited the directors September 4 accompanied by Minister of Interior and Justice Lucas Rincon and presidential staff chief Adan Chavez. Rangel said he "did not like" that the Ambassador visited the CNE (reftel) before the representatives of the other branches of Venezuelan government. Foreign Minister Roy Chaderton subsequently said he did not understand the U.S. offer of technical assistance because U.S. democracy "suffers from serious faults" when it comes to electoral laws and organization. If Venezuela were to need electoral assistance, Chaderton said, the country would seek it from other countries where there is more transparency in the electoral system. President also criticized the offer of U.S. technical assistance, and the Ambassador personally, in his Sunday television program September 7 (reftel).

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Legal Challenges  
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5. (U) Investigating a fraud complaint backed by Fifth Republic Movement Deputy Luis Tascon, a prosecutor and judge arrived at the CNE September 4 accompanied by a police swat team in full battle gear. Immediately, a crowd of Chavez supporters carrying anti-recall referendum banners gathered across the street. The pro-Chavez deputy told reporters the case involved 174 persons who claimed their signatures were forged on petitions gathered for a consultative referendum in November 2002. Chavez supporters allege that many of the signatures collected by the opposition are invalid, and even "cloned" electronically. CNE President Carrasquero reportedly complained to Attorney General Isaias Rodriguez about the visit, and worked out a procedure for the investigative authorities to return September 5. Responding to questions about opposition fears, CNE director Jorge Rodriguez assured reporters that the signatures would not be removed from the CNE.

6. (C) While the investigators reviewed the November signatures September 5, Fatherland for All (PPT) Secretary General and Chavez supporter Jose Albornoz went to the CNE accompanied by a municipal judge to inspect signatures presented August 20 for the recall referendum.

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[After several hours in the CNE, Albornoz told reporters he had found photocopies of signatures in the boxes, "proof" of his party's allegations that the opposition

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"played dirty" with the country and the CNE. Chavez supporters across the street from the CNE cheered Albornoz as he spoke with reporters.

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**Suing Sumate**  
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7. (C) Prior to the inspections of the signatures, Vice President Rangel filed a complaint against the NGO Sumate with the Attorney General September 3. A week earlier, President Chavez, speaking from Cuba, had criticized Sumate publicly, questioning its status as a non-governmental organization. Rangel accuses Sumate of usurping the powers of the state by having coordinated the gathering of signatures for the recall referendum and of violating the electoral and political party law by collecting money to finance the gathering of the signatures.

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**Military provocation**  
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8. (U) The Democratic Coordinating Committee (DCC) criticized Rangel's suit against Sumate and the questioning of the validity of the signatures in a statement issued September 5. The statement, according to DCC spokesperson Asdrubal Aguiar, was disseminated to OAS Secretary General Cesar Gaviria, U.N. Secretary General Kofi Annan, former President Jimmy Carter, and the Group of Friends countries. Aguiar also warned that the President was inciting violence by statements such as those he made to troops on August 28. On that occasion, President Chavez, dressed once again in military uniform, urged the Venezuelan military "to prepare itself for the moment when they would have to decide between firing against the people or against the oligarchy." Former

Presidential candidate and military officer Francisco Arias also asserted that the comments by Chavez and Rangel are part

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of a plan to delay the recall referendum. Arias warned the military, which in the past had found the President's wearing of the uniform offensive, not to fall into Chavez's provocations.

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Shapiro

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